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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO.       |
|---|-------------|----------------------|-------------------------------|------------------------|
| 10/811,972  | 03/30/2004  | Matthias Kaiser      | 34874-275                     | 2996                   |
| 64280 7590 09/11/2007<br>MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.<br>9255 TOWNE CENTER DRIVE<br>SUITE 600<br>SAN DIEGO, CA 92121 |             |                      | EXAMINER<br>MAHMOOD, REZWANUL |                        |
|   |             |                      | ART UNIT<br>2164              | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>09/11/2007       | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/811,972 | <b>Applicant(s)</b><br>KAISER, MATTHIAS |  |
|                              | <b>Examiner</b><br>Rezwanul Mahmood  | <b>Art Unit</b><br>2164                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8 and 10-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 10-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/02/2007 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-8 and 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaufman (US Patent 6,370, 525) in view of Batchilo (US Publication 2003/0130837) and in further view of Nishizawa (US Patent 6,537,325).

4. With respect to claim 1, Kaufman discloses a computer-implemented method for accessing relevant information in response to a search query (Kaufman: Column 2, lines 33-36), the method comprising:

receiving a document in response to the search query (Kaufman: Column 2, lines 33-36; Figure 2);

identifying relevant segments of the document reflecting one or more relevant words (Kaufman: Column 2, lines 37-52);

Kaufman does not explicitly disclose:

generating an intermediary document substantially dependent on the identified relevant segments, wherein the intermediary document including the relevant segments as claimed.

However, Batchilo discloses claimed generating an intermediary document (a summarized document) substantially dependent on the identified relevant segments, wherein the intermediary document includes the relevant segments (Batchilo: Paragraph 37, lines 1-9; Paragraph 38, lines 1-21; Figure 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made, to combine the teachings of Batchilo with the teachings of Kaufman to have generated a summarized document or an intermediary document including identifications of the relevant segments for a system and method of automatically summarizing the contents of natural language documents stored in electronic or digital form (Batchilo: Paragraph 2, lines 1-3).

Kaufman or Batchilo does not explicitly disclose:

the intermediary document including links, which when activated, cause the document to be opened and an information point in the document corresponding to the identified relevant segment to be displayed as claimed.

The Nishizawa reference, however, discloses claimed link information of the original text to be contained in the summarized text, which when activated, cause the

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original document to be opened and an information point in the original document corresponding to the identified summarized segment to be displayed (Nishizawa: Column 10, lines 26-32; Column 12, lines 25-39).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Kaufman and Batchilo with the teachings of Nishizawa to generate intermediary document including links corresponding to relevant point of the original document to generate a summarized text from an original text, which provides an effective tool for the user to search for desired part of both the summarized and original text (Nishizawa: Column 2, lines 30-35).

5. With respect to claim 2, Kaufman in view of Batchilo and in further view of Nishizawa discloses the method of claim 1, further including parsing the search query to create the one or more relevant words (Kaufman: Column 2, lines 37-52).

6. With respect to claim 3, Kaufman in view of Batchilo and in further view of Nishizawa discloses the method of claim 2, wherein identifying segments includes:

parsing the document into segments (Kaufman: Column 3, lines 11-48; Column 6, lines 1-8; Figure 2);

generating a word presence list for each segment using the one or more relevant words (Kaufman: Column 5, lines 9-31);

examining the segments based on the one or more relevant words (Kaufman: Column 8, lines 10-30); and

ranking the segments by relevance (Kaufman: Column 9, lines 34-39 and lines 57-67; Column 10, lines 1-8).

7. With respect to claim 5, Kaufman in view of Batchilo and in further view of Nishizawa discloses the method of claim 1, further including the step of extending the list of relevant words using a knowledge base (Kaufman: Column 5, lines 9-31).

8. With respect to claim 6, Kaufman discloses a data processing system for providing improved access to relevant information, comprising:

an acquisition module for retrieving information relation to a plurality of documents in response to a search query (Kaufman: Column 2, lines 33-36; Figure 2);  
and

a summarizing module for:

parsing the documents into segments (Kaufman: Column 3, lines 11-48; Column 6, lines 1-8; Figure 2);

selecting one of the segments as a relevant information point based on the segment having one or more relevant words (Kaufman: Column 3, lines 11-48; Column 8, lines 10-31);

Kaufman does not explicitly disclose:

generating an intermediary document substantially dependent on the selected relevant information point, wherein the intermediary document identifying the selected relevant information point as claimed.

However, Batchilo discloses claimed generating an intermediary document (a summarized document) substantially dependent on the identified relevant segments, wherein the intermediary document includes the relevant segments (Batchilo: Paragraph 37, lines 1-9; Paragraph 38, lines 1-21; Figure 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made, to combine the teachings of Batchilo with the teachings of Kaufman to have generated a summarized document or an intermediary document including identifications of the relevant segments for a system and method of automatically summarizing the contents of natural language documents stored in electronic or digital form (Batchilo: Paragraph 2, lines 1-3).

Kaufman or Batchilo does not explicitly disclose:

the intermediary document containing links, which when activated, cause the corresponding document to be opened and the relevant information point in such corresponding document to be displayed as claimed.

The Nishizawa reference, however, discloses claimed link information of the original text to be contained in the summarized text, which when activated, cause the original document to be opened and an information point in the original document corresponding to the identified summarized segment to be displayed (Nishizawa: Column 10, lines 26-32; Column 12, lines 25-39).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Kaufman and Batchilo with the teachings of Nishizawa to generate intermediary document including links

corresponding to relevant point of the original document to generate a summarized text from an original text, which provides an effective tool for the user to search for desired part of both the summarized and original text (Nishizawa: Column 2, lines 30-35).

9. With respect to claim 7, Kaufman in view of Batchilo and in further view of Nishizawa discloses the system of claim 6, wherein the summarizing module is a software program (Kaufman: Column 4, lines 48-55; Figures 1-2; Batchilo: Claim 25).

10. With respect to claim 8, Kaufman in view of Batchilo and in further view of Nishizawa discloses the system of claim 7, wherein the software program is a plug-in (Kaufman: Figure 1; Figure 2)

11. With respect to claim 10, Kaufman in view of Batchilo and in further view of Nishizawa discloses the system of claim 6, wherein the application module is in a workstation (Kaufman: Figure 1; Column 4, lines 40-55).

12. With respect to claim 11, Kaufman in view of Batchilo and in further view of Nishizawa discloses the system of claim 6, wherein the application module is an interactive website (Kaufman: Figure 1; Column 4, lines 40-60; Here if the user uses a search engine, user inherently uses an interactive website).

13. With respect to claim 12, Kaufman teaches search results in response to query



(Kaufman: Column 2, lines 33-36; Figure 2), comprising:

a query parser for parsing a query to a search engine (Kaufman: Figure 2);

a document parser for parsing the original document into portions (Kaufman: Column 3, lines 11-48; Column 6, lines 1-8; Figure 2);

a relevance engine for identifying relevant portions of the original document by evaluating one or more words of the portions (Kaufman: Figure 2; Column 3, lines 11-48; Column 8, lines 10-31);

Kaufman does not explicitly disclose:

a document generator for generating the intermediary document using the identified relevant portions, wherein the intermediary document being substantially dependent on the identified relevant portions as claimed.

However, Batchilo discloses claimed generating an intermediary document (a summarized document) substantially dependent on the identified relevant segments, wherein the intermediary document includes the relevant segments (Batchilo: Paragraph 37, lines 1-9; Paragraph 38, lines 1-21; Figure 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made, to combine the teachings of Batchilo with the teachings of Kaufman to have generated a summarized document or an intermediary document including identifications of the relevant segments for a system and method of automatically summarizing the contents of natural language documents stored in electronic or digital form (Batchilo: Paragraph 2, lines 1-3).

Kaufman or Batchilo does not explicitly disclose:

the intermediary document containing links, which when activated, cause the corresponding document to be opened and the identified relevant portion in such corresponding document to be displayed as claimed.

The Nishizawa reference, however, discloses claimed link information of the original text to be contained in the summarized text, which when activated, cause the original document to be opened and an information point in the original document corresponding to the identified summarized segment to be displayed (Nishizawa: Column 10, lines 26-32; Column 12, lines 25-39).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Kaufman and Batchilo with the teachings of Nishizawa to generate intermediary document including links corresponding to relevant point of the original document to generate a summarized text from an original text, which provides an effective tool for the user to search for desired part of both the summarized and original text (Nishizawa: Column 2, lines 30-35).

14. With respect to claim 13, Kaufman in view of Batchilo and in further view of Nishizawa discloses the apparatus of claim 12, wherein the original document includes sentences, and wherein the relevance engine includes a sentence filter for determining which of the sentences has relevant information (Kaufman: Figure 2).

15. With respect to claim 14, Kaufman in view of Batchilo and in further view of Nishizawa discloses the apparatus of claim 12, wherein the document generator

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comprises means for establishing links between portions of the intermediary document and the corresponding portions of the original document (Batchilo: Paragraph 37, lines 1-9; Paragraph 38, lines 1-21; Figure 1; Nishizawa: Column 10, lines 26-32; Column 12, lines 25-39).

16. With respect to claim 15, Kaufman in view of Batchilo and in further view of Nishizawa discloses the apparatus of claim 12, wherein the document parser is configured to generate at least one of a word presence list, a position list, and a sentence list, wherein the word presence list indicates frequencies of words in the document, the position list indicates the position of words in the document, and the sentence list indicates the number of words in the document (Kaufman: Column 9, lines 57-67; Column 10, lines 1-8).

17. With respect to claim 16, Kaufman in view of Batchilo and in further view of Nishizawa discloses the apparatus of claim 12, wherein the query parser adds to the query words that are semantically related to words in the query (Kaufman: Column 5, lines 9-31).

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Chwa reference (US Publication 2006/0190979) teaches about parsing and summarizing documents. The Cohen reference (US Publication

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2001/0044795) teaches about summarizing topics of documents accessed by a user.

The Cao reference (US Publication 2005/0108266) teaches about receiving a document and summarizing the content. The Jiang reference (US Publication 2004/0044952) teaches about an information retrieval system. The Chang reference (US Publication 2003/0037043) teaches about information retrieval and summarizing the results. The Weiner reference (US Patent 6,275,229) teaches about summarized documents with links.

***Remarks***

19. Applicant's arguments with respect to claims 1-3, 5-8 and 10-16 have been considered but are moot in view of the new ground(s) of rejection.

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**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rezwanul Mahmood whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Rezwanul Mahmood  
Examiner  
Art Unit 2164

August 29, 2007



  
CHARLES RONES  
SUPERVISORY PATENT EXAMINER